

DEPARTMENT OF VETERANS AFFAIRS

Office of Acquisition & Materiel Management
National Acquisition Center



WELCOME FSS TRAINING 101 June 10, 2005



INTRODUCTION

- Introductions
- Agenda
- Handouts
- General Information
 - NAC Industry Conference 10/3-4/2005
 - Lunch Restaurant Listing
 - Assistance



What is the FSS Program?

 Listing of contracts to multiple companies supplying comparable commercial supplies and services.

 National contracts awarded to responsible vendors to provide supplies and services at established prices, terms and conditions.



What is the FSS Program?

- Historically, just about any type of commercial item the government uses from paper clips, to fire engines were on FSS.
- Federal Acquisition Streamlining Act in 1994 and Clinger Cohen Act in 1996 expanded the definition of commercial item to include services.
- With the new flexibilities available through procurement reform, FSS program was expanded to include services.



GSA

(All other commodity/service groups)

NAC

(Medical related Supplies/services)

Authority – GSA delegated to Veterans Affairs National Acquisition Center the responsibility for the Federal Supply Schedule program for medical care related supplies, equipment, pharmaceuticals and services.



Federal Supply Schedule Service

Overview of the VA Schedules Program

- 65 I B Drugs and Pharmaceutical-related Products
- 65 II A Medical Equipment and Supplies
- 65 II C Dental Equipment and Supplies
- 65 II F Patient Mobility Devices
- 65 V A X-Ray Film, Equipment and Supplies
- 65 VII Diagnostic, Reagents, Test Kits and Sets
- 66 III -Cost-Per-Test for Clinical Laboratory Analyzers
- 621 I Professional and Allied Healthcare Staffing Services
- 621 II Medical Laboratory Testing and Analysis Services



What is the FSS Program?

Structure

- Product/Service Groups delineated by Federal Supply Class (FSC)/Product Service Codes (PSC).
 - 65 & 66 medical-related
 - 621 medical service-related
- Products/Services also further delineated by Special Item Numbers (SIN) and Subcategories.



Who is Eligible?

- Authorized Users All Federal Agencies and activities in the Executive, Legislative, and Judicial Branches
 - Includes State Veteran Homes with Sharing Agreements
 - FAR Part 51 authorized representatives
 - GSA Website for agency eligibility:
 - www.fss.gsa.gov/portal/gsa/ep/contentView.do?&contentId=8128&contentType=GSA_Basic



<u>Type</u>

- Multiple Award Contract
- Indefinite Delivery, Indefinite Quantity (IDIQ)
- Guaranteed minimum/maximum (varies per commodity)
- Firm Fixed-Price Contract with Economic Price Adjustment
- Open and Continuous Solicitation Cycle
- They are multi-year (5 years base), with option to extend for up to an additional 5 years

Scope

 National and World-Wide Coverage contracts awarded to responsible manufacturers, distributors or dealers.



Benefits for Contractors:

- Closely mirrors commercial buying practices.
- Streamlined contract vehicle for selling to the entire Federal Government.
- New supplies/services may continually be introduced to the system.
- Ordering activities place orders directly with vendors.
- Participation with just-in-time distribution
 - Pharmaceutical Prime Vendor
 - Med/Surg Prime Vendor



Benefits for Agencies:

- Ordering activities are not required to synopsize/advertise. <u>www.fedbizopps.gov</u>
- Prices have already been determined fair and reasonable.
- All ordering activities, large or small, even those in remote locations, are provided with the same services, convenience, and pricing.
- Shorter lead-times, lower administrative costs.
- Enables the customer to focus on the quality of the product or service acquired and not the process to acquire it.



Major Characteristics:

- Product Availability- Similar and Identical products are available from multiple sources (more than one contractor) providing a variety of products and services.
- Other Terms and Conditions, such as:
 - Delivery terms
 - Return goods policy
 - Warranty and liability statements
- Open & Continuous Solicitations Vendors may submit offers at any time vs. once a year. This allows contractors to provide the latest technology to Federal customers.



Major Characteristics

- Worldwide Deliveries:
 - Domestic (48 Contiguous States, DC, Hawaii, Alaska and Puerto Rico)
 - Overseas (Overseas destination other than AK, HI & PR)
- FOB Destination Pricing (except 65 VII)
 - At a minimum, includes the 48 Contiguous States and DC.
- Use of Government Purchase Card (Smart Pay Program) for micro purchases (at or below \$2,500). Moving to mandatory requirement.
 - Point of contact at GSA 703-305-6658
- Economic Price Adjustments (EPA) Allows price increases as required/allowed. At least a 30 day lapse and no increase within 60 days of contract expiration.

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FSS Solicitation Package

- A solicitation is a document that contains terms and conditions that apply to the procurement as well as identifications of products and services solicited and the time of performance of any ensuing contract.
- Each program has its own solicitation package
- A solicitation becomes an offer when a contractor completes, signs and submits it.
- A completed solicitation package typically contains the solicitation, brochure/literature, 2 copies of the offeror's commercial pricelist and any related attachments.



Solicitation Package Content

- Cover Page Notices
- Standard Form 1449 –
 Solicitation/Contract/Order for Commercial Items
- Schedule of Items (SIN)
- Clauses
- Commercial Sales Practices
- Small Business Subcontracting Plan
- Other Related Attachments



Cover Pages Notices

- General Information
- Notice of significant changes (since last issuance)
- Remove prior to sending

Standard Form 1449

- 1st page to complete
- Name & Address important
- Authorized signatory



Clauses

- Not vendor choice, all relevant
- Encourage to read all
- Complete necessary sections (use Handy Index)

Commercial Sales Practices (CSP)

- Disclosure of commercial sales practices
 - Commercial Customer Identification
 - Discounts
 - Volume requirements
 - FOB Terms
 - Additional Concessions



Commercial Sales Practice (CSP) (see handout)

Note				,		DULE), for additional information concerning hich information is the same.	
1.	Provide the dollar value of sales to the general public at or based on an established catalog or market price during the previous 12 month period or the offerors last fiscal year.						
	SIN \$	SIN	\$	SIN \$			
	State beginning and ending of the 12 month period. Beginning Ending In the event that a dollar value is not an appropriate measure of the sales, provide and describe your own measure of the sales of the item(s).						
2.	offered. If you	how your total projected annual sales to the Government under this contract for the contract term, excluding options, for each SIN ffered. If you currently hold a Federal Supply Schedule contract for the SIN the total projected annual sales should be based on your nost recent 12 months of sales under that contract.					
	SIN\$	SIN	\$	SIN \$			
3.	Based on your written discounting policies (standard commercial sales practices in the event you do not have written discounting policies are the discounts and any concessions which you offer the Government equal to or better than your best price (discount and concessions in any combination) offered to any customer acquiring the same items regardless of quantity or terms and conditions? YES NO See definition of "concession" and "discount" in 552.212-70.						
4.	(a) Based on your written discounting policies (standard commercial sales practices in the event you do not have written discounting policies), provide information as requested for each SIN (or group of SINs for which the information is the same) in accordance with the instructions at Table 515-1 which is provided in this solicitation for your convenience. The information should be provided in the chart below or in an equivalent format developed by the offeror. Rows should be added to accommodate as many customers as required.						
	Column 1	Column 2	Column 3	Column 4	Column 5		
	Customer	Discount	Quantity/Volume	FOB Term	Concessions		



Commercial Sales Practice (CSP) (see handout)

- (b) Do any deviations from your written policies or standard commercial sales practices disclosed in the above chart ever result in better discounts (lower prices) or concessions than indicated? YES ____ NO____. If YES, explain deviations in accordance with the instructions at Table 515-1 which is provided in this solicitation for your convenience
- 5. If you are a dealer/reseller without significant sales to the general public, you should provide manufacturers' information required by paragraphs (1) through (4) above for each item/SIN offered, if the manufacturer's sales under any resulting contract are expected to exceed \$500,000. You must also obtain written authorization from the manufacturer(s) for Government access, at any time before award or before agreeing to a modification, to the manufacturer's sales records for the purpose of verifying the information submitted by the manufacturer. The information is required in order to enable the Government to make a determination that the offered price is fair and reasonable. To expedite the review and processing of offers, you should advise the manufacturer(s) of this requirement. The contracting officer may require the information be submitted on electronic media with commercially available spreadsheet(s). The information may be provided by the manufacturer directly to the Government. If the manufacturer's item(s) is being offered by multiple dealers/resellers, only one copy of the requested information should be submitted to the Government. In addition, you must submit the following information along with a listing of contact information regarding each of the manufacturers whose products and/or services are included in the offer (include the manufacturer's name, address, the manufacturer's contact point, telephone number, and FAX number) for each model offered by SIN:
- a. Manufacturer's Name
- b. Manufacturer's Part Number
- c. Dealer's/Reseller's Part Number
- d. Product Description
- e. Manufacturer's List Price
- f. Dealer's/Reseller's percentage discount from List Price or net prices



Documentation and Justification

- Justifying your offer
 - Provide complete rationale, when Gov't is not offered equal to or better than your best commercial customer pricing
 - Provide copies of commercial agreements, when relevant
 - Contracting Officer will request additional information as needed to support the data



- Timeframes for submission
 - For follow-on contract coordinate with enough time to meet expiration date
 - For new at vendor's discretion
- Assigned/Reviewed/Clarifications, etc.
 - If not completely correct, the Contracting Officer will work with the vendor to provide an opportunity to submit additional information to update minor deficiencies/clarifications.
- Questions POC



Trade Agreements Act

- Buy American does not apply
- Substantially transformed (wholly different product)
- Proposed Legislation
- Customs website:

http://www.customs.ustreas.gov/



TRADE AGREEMENTS ACT

Products offered under this solicitation having countries of origin *other than* the United States, "Designated Countries" means a "World Trade Organization Government Procurement Agreement (WTO GPA)", "Free Trade Agreement (FTA)", "Least Developed Country", or "Caribbean Basin Country" will not be considered for award. "Designated Countries" are listed below. (Current as of 3/25/05. Subject to change)

DESIGNATED COUNTRIES: WORLD TRADE ORGANIZATION GOVERNMENT PROCUREMENT AGREEMENT (WTO GPA) COUNTRIES:

Aruba France Austria Germany Belaium Greece Canada Hong Kong Cyprus Hungary Czech Republic Iceland Denmark Ireland Estonia Israel Finland Italy

Removed: Botswana, Western Samoa Added:

Japan
Korea, Republic of
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Netherlands
Norway

Poland
Portugal
Singapore
Slovak Republic
Slovenia
Spain
Sweden
Switzerland
United Kingdom

LEAST DEVELOPED COUNTRIES:

Democratic Republic Afghanistan of Congo Diibouti Angola East Timor Bangladesh Benin **Equatorial Guinea** Bhutan Eritrea Burkina Faso Ethiopia Burundi Gambia Cambodia Guinea Cape Verde Guinea-Bissau Central African Haiti

Republic Chad Kiribati Comoros Laos Lesotho

Madagascar Malawi Maldives Mali Mauritania Mozambique Nepal Niger Rwanda

Samoa Sao Tome and Principe Senegal

Sierra Leone Solomon Islands Somalia Tanzania Togo Tuvalu Uganda Vanuatu Yemen

Zambia

CARIBBEAN BASIN COUNTRIES:

Antigua and Barbuda Dominica
Aruba Dominican Republic
Bahamas El Salvador
Barbados Grenada

Belize Guatemala British Virgin Islands Guyana Costa Rica Haiti Honduras Jamaica Montserrat

Netherlands Antilles

Nicaragua
St. Kitts and Nevis
St. Lucia
St. Vincent and the
Grenadines
Trinidad and Tobago

FREE TRADE AGREEMENT COUNTRIES:

Australia, Canada, Chile, Mexico, Morocco or Singapore.



Proposal Submission Review

Pre-award reviews:

- Over \$3 million to \$5 million per year (dependent upon commodity), Office of Inspector General (OIG)
- Review offer for accuracy, completeness, and currency
- Recommend pricing position
- Vendor will update, if discrepancies



Proposal Submission Review

Required before award:

- Equal Employment Opportunities Compliance (If estimated award value is over \$10 million)
- Trade Agreements Act (see handout): for all programs over \$175,000 – this applies to all VA FSS programs
- FDA Approval for pharmaceuticals
- 510K pre-market approval for Medical/Surgical
- Vets 100
- CCR



Proposal Submission Analysis

Government Contract Specialist will:

- Identify proposed items
- Identify proposed discounts
- Identify proposed commercial pricelist
- Identify other proposed concessions/terms, i.e.:
 - Quantity/BPAs
 - Installation
 - Warranty
 - Incentive programs
 - Return goods
 - Prompt payment terms
 - Rebates



Proposal Submission Analysis

Government Price Analysis:

 Starting Point for negotiations - Most Favored Commercial Customer (MFC):

"Defined as that customer or class of customer which receive(s) the best discount and/or price arrangement on a given item from a supplier. The term includes any entity which does business with the supplier. In MAS contracting, the Government's negotiation objectives are developed based on a comparison of the MFC arrangement. "



Proposal Submission Analysis

Government Price Analysis (cont'd):

- Purpose
 - Identify price objectives
 - Foundation for strategy
 - Review against current FSS contracts
 - Factors that affect objectives:
 - Volumes
 - Current market conditions
 - MFC determination
 - Special concessions, terms/conditions
 - Price adjustment provision



How we negotiate:

- Offers evaluated independently
- Identification of MFC pricing
- Identification of MFC terms and conditions
- Establishment of negotiations targets
- Negotiation discussions usually conference call
- Final Pricing Revisions (FPR) document from which award decision is made



What do we negotiate?

- Tracking Customer
- Basic Discount
- Quantity Discount
- Delivery Terms
- Prompt Payment
- Return Goods Policy
- Expedited Delivery
- Warranty terms

- Installation/Training
- Software License Agreements
- Leasing/Rental Terms
- Annual rebates
- BPA/Incentive Programs
- Distribution Program
- Minimum Orders



Tracking Customer

- Price Reduction Clause (see handout)
 - Establishment of commercial relationship to track award against
 - Paragraph (a) Before award of a contract,
 the CO and the offeror will agree upon:
 - The customer (or category of customers) which will be the basis of award, and
 - The Government's price or discount relationship to the identified customer (or category of customers)



Tracking Customer (cont'd)

- Terms:
 - Agreement of both parties
 - Start with category, helps to avoid future concerns
 - New companies possible All Commercial Customers
 - Tracking customer ratio determined by dividing discount relationship to Gov't by discount relationship to agreed upon tracking customer



Tracking Customer (cont'd)

VERY IMPORTANT

- Agreed to tracking customer and subsequent ratio will affect price changes
- If the ratio is disturb with a decrease to commercial customer, automatic to Government
- If tracking customer did not receive increase,
 Government cannot
- Very important to understand this relationship



Tracking Customer (cont'd)

Included in award documents:

"If the identified tracking customer's contract/agreement has been cancelled, terminated, has expired, or the tracking customer has merged with another group, the CO shall be notified within 10 calendar days after the event occurs, and, if possible, before the event occurs."



Tracking Customer Example

Awarded FSS price: \$5.00

MFC price at award: \$10.00

List price at award: \$20.00

Awarded tracking customer = MFC

Tracking customer changed price: \$15.00

List Price Change: \$40.00

What would be the acceptable Government price increase?



Negotiation Process

Tracking Customer Example

Answer:

- 1) Ratio = \$5/\$10 = .5
- 2) Commercial pricelist change noted
- 3) Apply ratio to current tracking customer:

Ratio times new tracking customer price .5(\$15) = \$7.50

The highest price that can be accepted by the Gov't would be limited to \$7.50.



Negotiation Process

Final Proposal Revision (FPR)

- Reiteration of all agreed upon issues
 - Will include pricing, terms and conditions
 - Award decision made from this document
 - Must be complete
 - Must be signed by an authorized signatory



Award Decision

Determining factors:

- Is it in the best interest of Government?
- Did we achieve a fair and reasonable price?
- Is Offeror responsive and responsible.
- Did offeror complete all certifications and regulatory requirements in their entirety?
- Is past performance history satisfactory?
- Are they financially capable?
- If yes to all --- contract is awardable.
- In house review –Over \$500,000, (above AD)



After the contract is awarded

- The vendor must prepare and distribute an "Authorized Federal Supply Schedule Pricelist" to the VA National Acquisition Center. (Paper and Electronic)
- Maintain Authorized FSS Schedule
 Pricelist and provide copies to any authorized schedule user, upon request.



- Modification Clause During the performance of the contract, the contractor may:
 - 1. Add new products and services
 - 2. Delete obsolete products and services
 - 3. Administrative changes
 - 4. Item number changes
 - 5. Novation/Name change
- Economic Price Adjustment (EPA) This clause allows contractors to increase/decrease prices in accordance with their commercial practice. Requests for price decreases may be submitted anytime during the contract period.
- **Price Reduction Clause** the Government's price or discount relationship to the identified tracking customer (individual or category of customer) must be maintained throughout the life of the contract.



- Report of Sales sales reports are required 60 days after the end of each fiscal quarter. Sales are reported for VA activities as well as Other Government Agencies (OGA). Zero sales must be reported.
- Industrial Funding Fee (IFF) The IFF is a fee paid by customers to fund the cost of operating the Schedules program. Contractor must remit 0.5% or 1% of the total reported sales with each quarterly sales report depending on the schedule.

NOTE: Multiplication factor is .005 or .01



Termination for Convenience or Cause –

- Convenience Ordering activities reserve the right to cancel purchase/delivery orders placed against an FSS contract in whole or in part for their sole convenience.
- Cause Ordering activities may terminate purchase/delivery orders placed against an FSS contract in whole or in part for cause in the event of any default by the contractor.
- Cancellation either party (National Acquisition Center or Contractor) may cancel the FSS contract in whole or in part by providing a written notice. The cancellation will take effect 30 calendar days after receipt of notification.



• Small Business Subcontracting Plan – (FAR 19.7)

- If a company is a large business and the contract is valued at \$500,000 or more, a Small Business Subcontracting Plan is required.
- There are two types of Small Business Subcontracting Plans:
 - Commercial plan covers the contractor's fiscal year and applies to entire production of commercial items
 - 2. <u>Individual plan</u> covers the entire contract period and applies to a specific contract.
 - 3. Exceptions



Subcontracting Plan Reporting

- SF294/295
- Electronic initiative

Novation/Change of Name

- Need legal involvement
- Covered under FAR Part 42
- Inform CO as soon as possible



How pricing is monitored

- Contractor may perform self-audits and provide voluntary disclosures.
- Disclosures by Customers and Competitors
- Monitoring sales reports and contracts are reviewed for trends and contractor compliance.
 - Business size re-certification
- Post Award Audits If deemed necessary



Contractor Responsibility

- Maintain Integrity of Awarded Product and Prices
- Continue to Market Products to individual activities (FedMarts, Trade Shows, etc.)
- Submit timely/Quarterly sales reports and other deliverables e.g. subcontracting plans if applicable, printed pricelist, etc.
- Periodically update published price list based on contract changes (products & prices etc.)



Government Customer Responsibility

- Adhere to the terms and conditions of the contract
- Review 3 or more contractors if purchase exceeds \$2500 (micro-purchase threshold)
- Attempt to negotiate lower price based on commitment
- Timely Payments (EFT)
- Request price reduction for large buys over Maximum Order under contract



Terms and Conditions

Blanket Purchase Agreements (BPAs)

Blanket Purchase Agreements are accounts that ordering activities establish with Schedule contractors to fill recurring requirements. BPA provisions are contained in all Federal Supply Schedule contracts.

- FAR Part 13 pre-negotiation concession for commitment
- Incentive Agreements market share, performance arrangements, etc.
- BPA review process handled by NAC
- VA Standardization program National Contract Service



Leasing

 Leasing options for medical equipment acquisitions are available on many contracts. The decision to purchase or lease is at the discretion of the acquiring ordering activity. Only equipment offered on a Federal Supply Schedule may be leased under the schedule.



FSS Related Programs

- Standardization Federal initiative to award national contracts or Blanket Purchase Agreements to preferred sources in order to standardize the VA's purchasing of products while securing the lowest possible pricing or best value procurement.
- Government Prime Vendor affords participating VA ordering facilities a vehicle to do one-stop shopping for just-in-time delivery of pharmaceutical and medical/surgical products.
- Distribution & Pricing Agreements (DAPA) affords participating DOD ordering facilities a vehicle to do onestop shopping for just-in-time delivery of pharmaceutical and medical/surgical products.



Electronic Commerce Tools

Schedules E-Library (schedule information) www.gsaelibrary.gsa.gov

GSA Advantage! / e-Buy (GSA Schedule 70, SIN 152-51) www.gsaadvantage.gov

VA PBM for pharmaceuticals www.pbm.va.gov

NAC Contract Catalog Search Tool http://www1.va.gov/oamm/nac/secr.htm



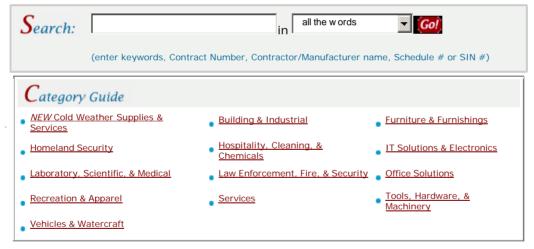




GSA Federal Supply Service

$W_{elcome!}$

Schedules e-Library is your source for the latest GSA and VA schedules contract award information! Now, schedule customers have a centralized source for researching GSA and VA schedules 24 hours a day! Schedules e-Library contains basic ordering guidelines, complete schedule listings, and a powerful search engine. The Schedules e-Library is updated daily to provide you with the latest award information. Schedules e-Library will also link you directly to our premier e-commerce shopping site - GSA Advantage! where you can place your order today!



GSA Federal Supply Schedules

Find out more about the GSA
Schedules (Multiple Award
Schedule) Program

VA Federal Supply Schedules

For more information about
the VA Schedules Program



Privacy Statement 53







GSA Advantage! e-Buy

...Working for the U.S. Government



GSA's latest e-Business innovation, *e-Buy*, has simplified the acquisition process! e-Buy, which is a component of GSA Advantage!, is an electronic Request for Quote (RFQ) system designed to allow Federal buyers to prepare RFQs, directly on-line, for a wide-range of services and products offered through GSA's Multiple Award Schedule (MAS) program. e-Buy allows RFQs and quotes to be exchanged electronically between Federal buyers and Schedule contractors.

e-Buy delivers the power of the Internet by allowing Federal buyers to interact with the commercial marketplace to obtain best value solutions for their operations!

Buyers	MAS Contractors
Please enter your GSA <i>Advantage!</i> Membership information.	Please enter your Contract number and Password as provided by the Vendor Support Center.
Password Login	Contract Number (Example: GS99F9999F or V123P1234A) Password Login
► I Forgot my User ID and/or Password. ► Get a new User ID and Password	Forgot Your Password? Please contact the VSC at 1-877-495-4849 or e-mail us at vendor.support@gsa.gov .

Updated/Reviewed: 04/18/2005 01:01:13



NAC Home

Contact Us

Search Menu

VA

Configured item pricelists

Standardized items

Contract Catalog Search Tool

Contract Catalog Search Main Menu

Locate Vendors By Socioeconomic Factor

Search By Sin

-OR
View All Small Businesses

View All Small Disadvanted Businesses

View 8(a) Businesses Only

View Woman-Owned Small Businesses Only

View Veteran-Owned Small Businesses Only

View Hub Zone Businesses Only

Catalog Search

Search Pharmaceutical Catalog

Includes:

Pharmaceuticals 65-IB Big 4, National Contract, and BPA Pharmaceutical Pricing

Search MedSurg Catalog

Includes:

Standardized National BPA Items
Professional Medical Health Care Services 621-I
Medical Equipment and Supplies 65-IIA
Dental Supplies 65-IIC
Patient Mobility Devices 65-IIF
Invitro Diag, Reagents 65-PARTVII
Equipment and Supplies 65-VA X-ray

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Electronic Commerce Tools

POINT OF CONTACT FOR FSS:

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Presenters

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Director and Assistant Directors

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Schedule Managers

James Booth

Schedule Manager 65IIA -Medical Equipment and Supplies (708) 786-5183

Sandra Perkins

Schedule Manager
65 IIC - Dental Equipment and Supplies
65IIF - Patient Mobility Devices
65 VA - X-Ray Equipment and Supplies
(708) 786-4958

Bob Satterfield

Schedule Manager
65 IB - Pharmaceuticals
65 VII - Diagnostics, Reagents, Test Kits and Sets
(708) 786-4955



Schedule Managers

Darlene McGary

Schedule Manager

621 II – Medical Laboratory Testing and Analysis

66 III - Cost-Per-Test, Clinical Laboratory Analyzers

(708) 786-5246

Linda Smith

Schedule Manager

621 I - Professional and Allied Healthcare Staffing

Teleradiology Initiative

(708) 786-5194